



ABRAHAM, FRUCHTER & TWERSKY, LLP

April 22, 2016

VIA ECF FILING & HAND DELIVERY

The Honorable Debra Freeman
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Lord Abbett Affiliated Fund, Inc., et al. v American International Group, Inc. et al.* Civil Action No. 15-cv-00774 (LTS)(DF)

Dear Magistrate Judge Freeman:

This firm represents the plaintiffs in the above-referenced action, herein the “Lord Abbett Funds.” This action is an opt-out from the now-settled class action, *In re American International Group, Inc., 2008 Securities Litigation*, No. 08-cv-4772 (the “Class Action”). We are writing to seek your assistance in obtaining (partially) un-redacted copies of the class certification briefs filed with the Court in the Class Action.

Governing law and the Federal Rules of Civil Procedure are clear that class members have the right to opt-out of a securities class action and pursue their individual claims against the defendants in the class action. The Lord Abbett Funds have maintained throughout this litigation, and continue to maintain, that due process affords them the right to pursue their own litigation, including discovery, without hindrance and without regard for any other action, including the Class Action. Nevertheless, defendant AIG has argued throughout this litigation that in order to be relieved of duplicative discovery, their only discovery obligation in this individual action should be to produce to the Lord Abbett Funds the discovery produced in the Class Action, subject to certain limitations. In response to this dispute, the Court has directed the parties to work together to promote judicial efficiency and to avoid duplication of past discovery efforts in the Class Action by providing the Lord Abbett Funds with broad access to discovery requests, productions and related materials in the Class Action (including millions of pages of documents produced in the Class Action); while permitting the Lord Abbett Funds to otherwise seek only non-duplicative additional discovery related to their individual claims.

In an effort to: (1) adhere to the Court’s directive; (2) expeditiously and efficiently move forward with discovery in this action; and (3) avoid the need for unnecessary discovery practice, plaintiffs have sought from Defendant un-redacted copies of the briefing submitted in the Class Action in support of class certification. In these briefs, the parties discuss references by Class

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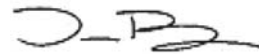
Plaintiffs to evidentiary document support for their claims (which at the time included the claims of the Lord Abbett Funds), which were obtained by them through discovery from the Class Action Defendants. However, all information identifying those documents has been redacted from the publicly filed briefs.

Defendant AIG has taken the position that it cannot produce the un-redacted class certification briefing without the permission of Class Counsel. Class Counsel in the Class Action has refused this request. The crux of Class Counsel's objection is that they do not want any of their work used to support any opt-out plaintiff's claims, even though such work was conducted for the benefit of a class that included the Lord Abbett Funds; and, they are no longer being compensated for their efforts, even though counsel was awarded approximately \$116,460,000.00 in legal fees for such work.

Class Counsel also objects to providing un-redacted documents to the extent that they reveal confidential information belonging to the Class Action plaintiffs. This objection is not relevant as the Lord Abbett Funds have affirmed that they are not seeking such information, and that such information can remain redacted for purposes of this discovery request.

The Lord Abbett Funds believe that the redacted information sought and contained in the Class Action certification briefing is essential discovery necessary for the efficient prosecution and resolution of the Lord Abbett Funds' claims in line with this Court's stated goals. Accordingly, we ask that the Court order AIG to produce partially un-redacted versions of those briefs, while continuing to maintain the confidentiality of the Class Action plaintiffs' own confidential information.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'I-Berg'.

Ian Berg

CC: Counsel per ECF